

DESCRIBE KILLINGS BY MOB AT HERRIN

Witnesses Say They Cannot
Identify Men They Saw
Shooting Victims.

ONE ROPE ON SIX NECKS

Reporter Testifies Gunman
Kept Him From Giving
Water to Wounded.

MARION, Ill., Dec. 15 (Associated Press).—The attack on the Herrin "trip" mine, the death march through the town with the captives and the hunting down of fugitives were described today by witnesses at the trial of five men held in connection with the killings.

All but one of the defendants were named as having been seen with guns during the rioting, but all the witnesses so far heard have said they could not identify any one they had seen shooting at the victims.

During the argument between opposing counsel on exclusion of part of the testimony Judge D. T. Hartwell, ruling in favor of the prosecution, said: "I want the whole thing to come out and I do not want to exclude any testimony on a mere technicality."

The defendants pointed out as having been seen carrying guns during the rioting are Otis Clark, Bert Grace, Joseph Caramenti and Levi Mann. The name of Peter Hiller, the fifth defendant, has not yet appeared.

Donald M. Ewing, a Chicago newsman, who wrote the story of the killings for the Associated Press, said Grace had threatened him with a gun when he attempted to take a drink of water to two injured men.

The witness said there were six dead or wounded men lying in the road, all bound together by a single rope tied about their necks.

"Grace put his foot on one of the wounded men and pushed," the witness said, and quoted the defendant as saying with a curse: "You'll get no water here."

Henry Graves, a mine pump man, said he had seen a group of armed men chasing two fugitives through the fields near his house.

"I heard the sound of shots," he testified, "and could see the bullets kicking up the dust behind the fleeing men."

Soon afterward, he said, a wounded man had taken refuge on his rear porch, but two men who said they were "officers" came and took him away.

Fred Harrison, a student at the University of Illinois, testified he had seen Bert Grace near his father's farm on the outskirts of Herrin on the morning of the riots. Young Harrison said he had then taken a walk to a clump of woods, where he found four bodies, one of them hanging from a tree.

FOX FARM STARTED UP-STATE.

MIDDLETOWN, N. Y., Dec. 15.—A fox farm has been started near Liberty, Sullivan county, by Alvin Stickles and Charles Mathinger. They have purchased three pairs of silver black foxes for \$4,500. Each pair occupies connecting pens about ten feet square. This is the first attempt to establish such a farm in this section of the country.

MESSANGER BOY SERVICE LIABILITY IS LIMITED

Companies Must Be Notified of Special Value of
Property Intrusted to Them, Appellate Division
Holds, Reversing Verdict.

Messenger service companies cannot be held liable for loss of property of special value without receiving notification that such property is to be intrusted to their service, according to a decision handed down yesterday by the Appellate Division of the Supreme Court in favor of the American District Telegraph Company.

The Appellate Division reversed a judgment of \$8,184.44 granted to Strong, Sturgis & Co., brokers, for the loss of Liberty bonds of \$10,000 par value. It was shown that the brokers secured the messenger not from a call box in their office but from an outside telegraph operator.

"Without notice to the defendant of

the nature of the service that was to be required by the plaintiffs," Justice Smith wrote, "the defendant cannot be deemed to have contracted to carry safely the Liberty bonds which were afterward converted by the messenger. I have no doubt that the company owes a duty to make a reasonable investigation of the qualifications of its messengers. For failure to perform that duty the defendant would be liable to any one for the loss of an ordinary package. The contract of the defendant, however, and the duty of the defendant, do not make it liable for loss of property of special value, without specific notice that such property is to be intrusted to the messenger."

TWO MOTOR DEATHS; TWO POLICE INJURED

Driver of Truck in Collision
With Department Ford May
Die of Hurts.

Patrolmen Herbert C. White and Raymond Merrill of the Tottenville, S. I. station were seriously injured at Richmond Valley, S. I., last night when a department Ford skidded on the ice and crashed into a truck driven by Victor Jackson of 16 Pine street, New Brighton. White's skull was fractured and he is not expected to recover. Merrill suffered three broken ribs.

An automobile owned by Charles Moskowitz of 84 Rodney street, Brooklyn, crashed into the side of a brick building at Franklin and Oak streets in Brooklyn early yesterday, killing Frank Whalen of 110 Bedford avenue, Brooklyn, who was driving. Arthur Clark of 67 North Tenth street and John Farrelly of 121 South Second street, Brooklyn, who were in the back seat, were badly injured and were sent to the Greenpoint Hospital.

Clark and Farrelly were arrested, charged with larceny, the police saying that the car was taken from Moskowitz's garage without his permission.

An unidentified woman of about 60 was knocked down and killed by an automobile as she was crossing Third avenue at Ninety-seventh street. She was dressed in black and had \$150 in a purse. She also had five rings and a bar pin with ten stones that appeared to be diamonds. William Nevins of Bergenfield, N. J., was arrested, accused of causing her death. He denied it and blamed an automobile in front of his.

Mrs. Martha Kauth, 32, of 54 East Fifty-ninth street, was knocked down and badly hurt by an automobile as she was crossing Broadway at Seventy-fourth street. The driver of the automobile did not stop.

CHECK FOR \$175,000 PUZZLE TO JERSEY

State Treasurer Doesn't Know
What to Do With Lehigh
Valley Payment.

Special Dispatch to THE NEW YORK HERALD. TRENTON, Dec. 15.—In the vault of the State Treasury to-night is a check for \$175,000 awaiting an official determination of ownership. The check was received to-day from the Lehigh Valley Railroad as the first of five instalments following the agreement for abandonment of the Morris Canal.

The law creating abandonment commissioners and the agreement between them and the railroad were silent about what should be done about cash payments except that they should go to the State.

The law indicated that any cash payment should be vested in the Department of Conservation and Development, which was designated to maintain the canal right of way in the event of its acquisition by the State.

The State Treasurer and State Comptroller felt that they would not be justified in turning the cash in to the general State fund, whence it could be disbursed by specific appropriation of the Legislature. The check probably will be deposited as a special fund pending advice from the Attorney-General.

POPE EXTENDS JUBILEE.

Holy Name Society Will Continue
Centennial Celebration.

The jubilee in honor of the fiftieth anniversary of the establishment in this country of the Holy Name Society will not come to a close at the end of this month as originally planned, for the reason that not all of the branches have had sufficient time to properly celebrate the event. Pope Pius at the suggestion of the Very Rev. M. J. Rippe, Dominican Father, who is national director of the society, has granted permission to extend the time until the end of the Easter season. The jubilee, therefore, will end on Trinity Sunday, 1923.

The Pope gave his approval to another suggestion which was made by the national director. Instead of branches being required to have a retreat, or eight days service, in connection with the jubilee celebration, all requirements will be filled by holding a triduum, or three days service.

KILROE TO SEE MINUTES.

Former Official Will Learn Details of His Indictment.

Justice Francis Martin in Supreme Court yesterday granted the application of Edwin P. Kilroe, a former assistant district attorney, for permission to inspect the minutes of the Almiral Grand Jury, which indicted him for conspiracy and compounding a felony.

Mr. Kilroe's conviction on the conspiracy charge before the late Justice Weeks was reversed by the Appellate Division.

Broadway Saks & Company At 34th Street



On the Second Floor Today

A MOST EXTRAORDINARY SALE of

14-kt. Gold-Mounted Wallets
at 2.95

Incomparable values and very handsome gifts that are sure
to implant sincere gratitude in the heart of any man

HIP or three fold models, exceptionally well made
of genuine pin seal. Each wallet is fully equipped
with card pockets, full length bill compartment
and tuck pockets. Mounted with two 14-kt. gold
corners, clips and plate for monogram — they are
worth 6.50 each.

Second Floor



Give Him a Dozen Pairs of These

FULL FASHIONED
Silk Hose

at 85¢ a pair

Full-fashioned silk socks, reinforced at heels and toes with
excellent quality four thread lisle. Every pair is finished with
lisle cuffs as well to assure their durability and desirability.
Can be had in black, white, cordovan, navy or gray. At 85¢
they will stand the acid test of comparison!

Important Christmas Offerings of

Men's Sweaters
and Vests

all at the extremely
modest price of

5.00

Elastic Rib Stitch Coat Sweaters, in a host of
desirable color combinations, as well as solid black,
navy or gray. Each sweater is finished with two
warm and convenient pockets. Very comfortable
indeed for outdoor occasions!

Pure Worsted Vests, attractively
set-off with leather buttons.
Handsome two-tone combinations
of camel's hair to choose
from. Ideal for cold weather
and as warm as toast!

Camel's Hair Sport Sweaters,
in pull-over models with
round neck. The sleeves come
in natural tan shade. Surprise
him with one of these for Christmas
— they are great for 5.00!

Shaker Pull-Over Sweaters with luxurious roll
collars, are excellent for hiking and various other
purposes. The color range includes brown, maroon,
heather, navy and oxford. These sweaters are very
much in demand and are certain to move in rapid
order this morning!

Street Floor

Broadway Saks & Company at 34th Street

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Exquisite Bracelet
Watches and Rings

for Women

At REMARKABLY LOW PRICES

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admiration and affection. Nothing could please her more, nor could any-
thing you select reflect more credit on your good taste. These are
lovely watches and rings—all of finest quality, and without exception
values that have no worthy competition anywhere in New York.



14 Kt. White Gold Ribbon
Bracelet Watches,
set with dependable 15
jewel movement. Engraved
c.s.s. in fancy tonneau
design. Very attractive
watches and ac-
curate timepieces 16.50



14 Kt. White Gold Ribbon
Bracelet Watches,
beautifully set with ca-
bochon sapphire crown
and 15 jewel move-
ment 26.50



18 Kt. White Gold Ribbon
Bracelet Watches
have 15 jewel oval move-
ment and cabochon
sapphire crown 32.50



Platinum Ribbon Brace-
let Watches, set with 16
jewel movement, 16 dia-
monds, 4 calabra sap-
phires and sapphire
cabochon crown 125.00



14 Kt. White Gold Ribbon
Bracelet Watches,
set with 15 jewel move-
ment. Handsomely en-
graved cases in cushion,
octagon, short ton-
neau or oval effects 19.50



14 Kt. White Gold Ribbon
Bracelet Watches,
set with 15 jewel oval
movement and cabochon
sapphire crown. 28.50
Very pretty indeed!



12 Diamond Ribbon
Bracelet Watches are set
with 15 or 17 jewel move-
ment. Stunning
little watches 79.50



Platinum Ribbon Brace-
let Watches, set with 30
diamonds, 8 calabra sap-
phires & 17 jewel
oval movement 182.50



14 Kt. White Gold Ribbon
Bracelet Watches,
in rectangular models, set
with 15 jewel movement
and cabochon sapphire
crown. Very un-
usual values! 22.50



18 Kt. White Gold Ribbon
Bracelet Watches,
with 17 jewel rectangular
movement and cabochon
sapphire crown. 29.50
Splendid values at



Platinum Ribbon Brace-
let Watches, 15 jewel
movement. Rectangular
or oval models, set with
28 or 22 dia-
monds 115.00



Platinum Ribbon Brace-
let Watches, attractively
set with 40 diamonds, 6
sapphires and 15 jewel
oval move-
ment 185.00

BEAUTIFUL
Diamond
and Platinum
Sautoir Watches
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SET with 33 sparkling
diamonds, 10 calabra
sapphires, 3 diamond
slides and 16 jewel move-
ment. A magnificent
watch that will prove to
be a lifetime remembrance



18 kt. White Gold En-
graved Rings, set with
one diamond. Wonderful
value at 39.50



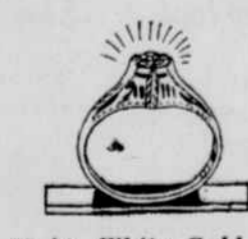
18 kt. White Gold Rings
set with one diamond and
two fancy cut sap-
phires 39.50



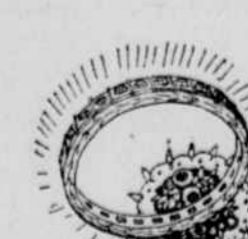
7 Diamond Platinum
Band Rings, with en-
graved backs. One of
these will make
her happy 42.50



18 kt. White Gold Rings,
charmingly engraved and
set with two diamonds
and one sap-
phire 29.50



18 kt. White Gold En-
graved Rings display
a beautiful 7 dia-
mond cluster 55.00



18 Diamond Platinum
Band Rings, en-
graved at sides 89.50



18 kt. White Gold Rings,
are set with three dia-
monds and en-
graved besides 38.50



18 kt. White Gold Rings,
with two diamonds and one
calabra sapphire.
Engraved filigree
designs 78.50



18 kt. White Gold Rings,
engraved and set with one
diamond and two
sapphires 26.50

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